

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

**ADAM FERRARI,**

*Plaintiff,*

**v.**

**WILLIAM FRANCIS,**

*Defendant.*

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**Civil Action No. 3:23-cv-455-S**

**DEFENDANT AND NON-PARTY INCLINE ENERGY PARTNERS, LP’S MOTION  
FOR PROTECTIVE ORDER AND MOTION TO QUASH**

Pursuant to Federal Rules of Civil Procedure 26 and 45, Defendant William Francis (“Defendant” or “Francis”) moves for a protective order against Plaintiff Adam Ferrari (“Plaintiff” or “Ferrari”), and Defendant and Nonparty Incline Energy Partners LP move to quash Plaintiff’s Subpoenas to Petrus Capital Management, LLC and Silver Creek Exploration, LLC.

Plaintiff filed this lawsuit against Defendant, alleging that they are competitors in the oil-and-gas interest business and that Defendant defamed him. Plaintiff has now served subpoenas on Petrus Capital Management, LLC and Silver Creek Exploration, LLC—nonparties that have nothing to do with any of Plaintiff’s claims. None of Plaintiff’s allegations in his First Amended Complaint (“Complaint”) relate to Petrus or Silver Creek. Nor has Plaintiff identified Petrus or Silver Creek as likely to have discoverable information in his Rule 26 disclosures. Not only do the subpoenas seek irrelevant and highly confidential information, but they are also facially overbroad and duplicative of Plaintiff’s document requests on Defendant.

The accompanying Joint Report provides a discussion of the facts and authorities that support this motion as to each discovery request in dispute, pursuant to the Court’s Standing Order on Discovery and Non-Dispositive Motions. ECF 75.

To protect Defendant from “annoyance, embarrassment, [and] oppression,” FED. R. CIV. P. 26(c), and to prevent the unnecessary disclosure of sensitive commercial information, Defendant and Incline respectfully request that the Court issue a protective order and quash the subpoenas on Petrus and Silver Creek, as well as all other and further relief to which Defendant and Incline may be entitled.

Respectfully submitted,

By: /s/ Paulette C. Minitier

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**CERTIFICATE OF SERVICE**

Pursuant to Fed. R. Civ. P. 5(d)(1)(B), as amended, no certificate of service is necessary, because this document is being filed with the Court’s electronic-filing system.

/s/ Paulette C. Minitier  
Paulette C. Minitier